



---

**Monday**  
**May 8, 1995**

---

**Part XXIV**

**Federal Emergency  
Management Agency**

---

**Semiannual Regulatory Agenda**

## FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

FEDERAL EMERGENCY  
MANAGEMENT AGENCY

## 44 CFR Ch. I

## Unified Regulatory Agenda

**AGENCY:** Federal Emergency Management Agency (FEMA).

**ACTION:** Regulatory agenda.

**SUMMARY:** The Federal Emergency Management Agency publishes its regulatory agenda in April and October to inform interested parties of progress on FEMA regulations. The agenda lists regulations that we expect to develop or review during the period April 1, 1995, to September 30, 1995.

**ADDRESSES:** For information about specific regulations, please contact the person listed as the agency contact in the agenda.

**FOR FURTHER INFORMATION CONTACT:** For general information on FEMA's regulatory agenda, contact H. Crane Miller, Office of the General Counsel, Federal Emergency Management

Agency, 500 C Street SW., Washington, DC 20472, (202) 646-3340.

**SUPPLEMENTARY INFORMATION:** Executive Order 12866 "Regulatory Planning and Review" directs each executive agency to publish only such regulations as are required by law, are necessary to interpret the law, or are made necessary by compelling public need. Publication of an agenda of regulations is called for semiannually in order to give the public adequate notice of agency rulemaking activities; also, publication of a regulatory agenda concerning rules likely to be significant regulatory actions must be published.

In fulfillment of the requirements of Executive Order 12866, this agenda describes current and projected regulatory actions and rules that we expect to develop or review during the period April 1, 1995, to September 30, 1995. This agenda also contains information on regulations completed or withdrawn since the last FEMA regulatory agenda was published November 14, 1994, 59 FR 58316 to 58322.

Public comment on the agenda, including comments by State and local governments, is invited and should be submitted to the Rules Docket Clerk, Office of the General Counsel, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472; FAX (202) 646-4536. Please refer to the title and the Regulation Identifier Number (RIN) of the rule about which you are inquiring or commenting.

The agenda is not limited to significant regulatory actions and contains information concerning FEMA regulations to be developed, reviewed, or published in the next 6 months except for routine flood elevation determinations, listings of eligible communities under the National Flood Insurance Program and the National Crime Insurance Program, listings of suspended communities and similar designations under the National Flood Insurance Program, and FEMA organizational and management matters.

**Dated:** March 20, 1995.

**John P. Carey,**  
*General Counsel.*

## Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3983	Disaster Assistance; Public Assistance Eligibility .....	3067-AC12
3984	Enforcement of Nondiscrimination on the Basis of Disability in Programs Receiving Federal Financial Assistance ...	3067-AC18
3985	Standard Hazard Determination Form .....	3067-AC34
3986	Restoration of Damaged Facilities .....	3067-AC36

## Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3987	National Defense Executive Reserve Guidance .....	3067-AB51
3988	FEMA; Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Govern- ments .....	3067-AC08
3989	Establish Flood Insurance Rate Zone AR .....	3067-AC17
3990	Environmental Considerations/Categorical Exclusions (CATEX) .....	3067-AC21
3991	National Flood Insurance Program; Assistance to Private-Sector Property Insurers .....	3067-AC26
3992	Individual and Family Grant Program .....	3067-AC28
3993	Group Flood Insurance Policy for Individual and Family Grant Program .....	3067-AC35

## Completed/Longterm Actions

Sequence Number	Title	Regulation Identifier Number
3994	Review and Approval of State and Local Emergency Response Plans .....	3067-AA76
3995	Radiological Emergency Planning and Preparedness .....	3067-AA77

## FEMA

## Completed/Longterm Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
3996	Machine Tool Trigger Order Program Guidance .....	3067-AB63
3997	New Restrictions on Lobbying .....	3067-AB64
3998	Release of Materials From the National Defense Stockpile .....	3067-AB75
3999	National Flood Insurance Program—Write Your Own Program Changes .....	3067-AB99
4000	National Flood Insurance Program Repetitive Losses .....	3067-AC00
4001	Policy and Procedures on the Use of Standby Agreements and Educational Orders .....	3067-AC07
4002	Voluntary Agreements Under Section 708 of the Defense Production Act of 1950, as Amended .....	3067-AC15
4003	National Flood Insurance Program; Insurance Coverage and Rates .....	3067-AC29
4004	Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (Thresholds) .....	3067-AC30
4005	Arson Prevention Act of 1994 - State Grants .....	3067-AC31
4006	Removal of 44 CFR Part 205 .....	3067-AC32
4007	List of Jurisdictions Eligible for the Sale of Federal Crime Insurance .....	3067-AC33

## FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

## Proposed Rule Stage

**3983. DISASTER ASSISTANCE; PUBLIC ASSISTANCE ELIGIBILITY****Legal Authority:** 42 USC 5121 et seq**CFR Citation:** 44 CFR 206**Legal Deadline:** None

**Abstract:** This proposed rule would remove permanent beach and related restoration work that occurs within coastal high hazard areas from eligibility for funding under the Stafford Act, 42 USC 5121 et seq, as amended.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	
NPRM Comment Period End	00/00/00	

**Small Entities Affected:** None**Government Levels Affected:** None

**Agency Contact:** Charles Stuart, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, **202 646-3691**

**RIN:** 3067-AC12**3984. ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF DISABILITY IN PROGRAMS RECEIVING FEDERAL FINANCIAL ASSISTANCE****Legal Authority:** 29 USC 794**CFR Citation:** 44 CFR 7**Legal Deadline:** None

**Abstract:** This proposed rule would require all recipients of Federal financial assistance from the Federal Emergency Management Agency to ensure nondiscrimination against qualified individuals with disabilities in all FEMA programs and activities. It would establish standards for what constitutes discrimination on the basis of mental or physical disability, define "individual with disabilities" and "qualified individual with disabilities," and would establish a complaint mechanism for resolving allegations of discrimination.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	
NPRM Comment Period End	00/00/00	

**Small Entities Affected:** None**Government Levels Affected:** None

**Agency Contact:** Alan Clive, Equal Rights Officer, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, **202 646-3340**

**RIN:** 3067-AC18**3985. • STANDARD HAZARD DETERMINATION FORM****Legal Authority:** 42 USC 1365(a)**CFR Citation:** 44 CFR 62**Legal Deadline:** Final, Statutory, June 20, 1995.

**Abstract:** FEMA is developing a standard form for determining whether a structure is located in an identified Special Flood Hazard Area (SFHA) and whether flood insurance is required and available. The form is published as a rule under section 528 of the National Flood Insurance Reform Act of 1994, 42 U.S.C. 1365(a).

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/95	
NPRM Comment Period End	05/00/95	

**Small Entities Affected:** None**Government Levels Affected:** None

**Agency Contact:** Michael K. Buckley, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, **202 646-2756**

**RIN:** 3067-AC34**3986. • RESTORATION OF DAMAGED FACILITIES****Priority:** Agency Priority**Legal Authority:** 42 USC 5121 et seq; 42 USC 5172**CFR Citation:** 44 CFR 206**Legal Deadline:** None

**Abstract:** This rule would limit to 60 days after a disaster the period during which a community may adopt more stringent building codes and standards than existed before the disaster and

## FEMA

## Proposed Rule Stage

under which FEMA will pay for restoration of damaged facilities.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/95	

Action	Date	FR Cite
NPRM Comment Period End	08/00/95	
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Craig S. Wingo, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, **202 646-3026**

**RIN:** 3067-AC36

## FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

## Final Rule Stage

**3987. NATIONAL DEFENSE EXECUTIVE RESERVE GUIDANCE**

**Legal Authority:** 50 USC 404; 50 USC app 2061 et seq; EO 12656

**CFR Citation:** 44 CFR 337

**Legal Deadline:** None

**Abstract:** Provides guidance and procedures for those Federal departments and agencies delegated authority under Executive Order 12919 to sponsor reserve units under the National Defense Executive Reserve Program.

**Timetable:**

Action	Date	FR Cite
NPRM	11/28/94	59 FR 60760
Final Action	00/00/00	
Final Action Effective	00/00/00	

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Agency Contact:** Linda Matticks, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, **202 646-2703**

**RIN:** 3067-AB51

**3988. FEMA; UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS**

**Legal Authority:** 31 USC 1111; 31 USC 503

**CFR Citation:** 44 CFR 13

**Legal Deadline:** None

**Abstract:** FEMA proposes to adopt revisions to "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments," previously published at 53 FR 8078, 3/11/88, 44 CFR 13.

**Timetable:**

Action	Date	FR Cite
Final Action	04/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local

**Agency Contact:** Charles F. McNulty, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, **202 646-2976**

**RIN:** 3067-AC08

**3989. ESTABLISH FLOOD INSURANCE RATE ZONE AR**

**Legal Authority:** 42 USC 4002; EO 12127

**CFR Citation:** 44 CFR 59; 44 CFR 60; 44 CFR 61; 44 CFR 65

**Legal Deadline:** NPRM, Statutory, October 28, 1994.

**Abstract:** This rule would establish criteria for determining a community's eligibility for Zone AR designation (areas of special flood hazard resulting from the disaccreditation of a flood protection system that was previously credited with providing 100-year flood protection) and for mapping special flood hazard areas as Zone AR. The rule would also establish flood insurance rates and floodplain management requirements to be applied in areas designated as Zone AR.

**Timetable:**

Action	Date	FR Cite
NPRM	04/01/94	59 FR 15351
NPRM Comment Period End	05/16/94	
Interim Final Rule	10/25/94	59 FR 53592
Final Action	05/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** Local

**Agency Contact:** William R. Locke, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, **202 646-2717**

**RIN:** 3067-AC17

**3990. ENVIRONMENTAL CONSIDERATIONS/CATEGORICAL EXCLUSIONS (CATEX)**

**Priority:** Agency Priority

**Legal Authority:** 42 USC 4321; EO 11991

**CFR Citation:** 44 CFR 10

**Legal Deadline:** None

**Abstract:** This interim rule amends 44 CFR part 10 by adding certain purchases of flooded properties to the list of actions that are categorically excluded from reviews under the National Environmental Policy Act (NEPA).

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/07/94	59 FR 953
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Michael Hirsch, Associate General Counsel, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, **202 646-4099**

**RIN:** 3067-AC21

**3991. NATIONAL FLOOD INSURANCE PROGRAM; ASSISTANCE TO PRIVATE-SECTOR PROPERTY INSURERS**

**Legal Authority:** 42 USC 5102

**CFR Citation:** 44 CFR 62

**Legal Deadline:** None

**Abstract:** This interim final rule amends the interim final rule, National Flood Insurance Program, Assistance to Private Sector Property Insurers, published at 59 FR 26965 on 5/23/94.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/29/94	59 FR 38571
Final Action	00/00/00	

## FEMA

## Final Rule Stage

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Charles M. Plaxico, Federal Insurance Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, **202 646-3422**

**RIN:** 3067-AC26

### 3992. INDIVIDUAL AND FAMILY GRANT PROGRAM

**Legal Authority:** 42 USC 4012a

**CFR Citation:** 44 CFR 206

**Legal Deadline:** None

**Abstract:** This rule, retroactive to September 23, 1994, requires Individual and Family Grant recipients who receive Federal disaster assistance for flood damage to real or personal property, or both, to purchase and maintain flood insurance on the property until they move to another

address, under section 582(c) of the National Flood Insurance Reform Act of 1994.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	02/07/95	60 FR 7130
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Laurence W. Zensinger, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, **202 646-4262**

**RIN:** 3067-AC28

### 3993. • GROUP FLOOD INSURANCE POLICY FOR INDIVIDUAL AND FAMILY GRANT PROGRAM

**Legal Authority:** 42 USC 5174; 42 USC 5178

**CFR Citation:** 44 CFR 206

**Legal Deadline:** None

**Abstract:** This rule establishes a Group Flood Insurance Policy to be issued by the National Flood Insurance Program when Federal disaster assistance for flood damage to real or personal property, or both, is provided under the Individual and Family Grant Program following a major disaster declaration by the President.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	02/07/95	60 FR 7130
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Laurence W. Zensinger, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, **202 646-4262**

**RIN:** 3067-AC35

## FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

## Completed/Longterm Actions

### 3994. REVIEW AND APPROVAL OF STATE AND LOCAL EMERGENCY RESPONSE PLANS

**CFR Citation:** 44 CFR 350

**Completed:**

Reason	Date	FR Cite
Withdrawn	02/21/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** H. Crane Miller, **202 646-3340**

**RIN:** 3067-AA76

### 3995. RADIOLOGICAL EMERGENCY PLANNING AND PREPAREDNESS

**CFR Citation:** 44 CFR 351

**Completed:**

Reason	Date	FR Cite
Withdrawn	02/21/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** H. Crane Miller, **202 646-3340**

**RIN:** 3067-AA77

### 3996. MACHINE TOOL TRIGGER ORDER PROGRAM GUIDANCE

**CFR Citation:** 44 CFR 340

**Completed:**

Reason	Date	FR Cite
Withdrawn	02/21/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** H. Crane Miller, **202 646-3340**

**RIN:** 3067-AB63

### 3997. NEW RESTRICTIONS ON LOBBYING

**CFR Citation:** 44 CFR 18

**Completed:**

Reason	Date	FR Cite
Withdrawn - No action anticipated within the next 12 months.	04/01/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Charles F. McNulty, **202 646-2976**

**RIN:** 3067-AB64

### 3998. RELEASE OF MATERIALS FROM THE NATIONAL DEFENSE STOCKPILE

**CFR Citation:** 44 CFR 328

**Completed:**

Reason	Date	FR Cite
Withdrawn	02/24/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** H. Crane Miller, **202 646-3340**

**RIN:** 3067-AB75

### 3999. NATIONAL FLOOD INSURANCE PROGRAM—WRITE YOUR OWN PROGRAM CHANGES

**CFR Citation:** 44 CFR 62

**Completed:**

Reason	Date	FR Cite
Withdrawn	02/21/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** H. Crane Miller, **202 646-3340**

**RIN:** 3067-AB99

## FEMA

## Completed/Longterm Actions

**4000. NATIONAL FLOOD INSURANCE PROGRAM REPETITIVE LOSSES**

CFR Citation: 44 CFR 61

**Completed:**

Reason	Date	FR Cite
Withdrawn	02/21/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: H. Crane Miller, 202 646-3340

RIN: 3067-AC00

**4001. POLICY AND PROCEDURES ON THE USE OF STANDBY AGREEMENTS AND EDUCATIONAL ORDERS**

CFR Citation: 44 CFR 342

**Completed:**

Reason	Date	FR Cite
Withdrawn	03/10/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: H. Crane Miller, 202 646-3340

RIN: 3067-AC07

**4002. VOLUNTARY AGREEMENTS UNDER SECTION 708 OF THE DEFENSE PRODUCTION ACT OF 1950, AS AMENDED**

CFR Citation: 44 CFR 332

**Completed:**

Reason	Date	FR Cite
Withdrawn	03/10/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: H. Crane Miller, 202 646-3340

RIN: 3067-AC15

**4003. NATIONAL FLOOD INSURANCE PROGRAM; INSURANCE COVERAGE AND RATES**

Priority: Agency Priority

CFR Citation: 44 CFR 61

**Completed:**

Reason	Date	FR Cite
Final Action	01/30/95	60 FR 5583
Final Action Effective	03/01/95	60 FR 5583

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Charles M. Plaxico, Jr., 202 646-3422

RIN: 3067-AC29

**4004. UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS (THRESHOLDS)**

CFR Citation: 44 CFR 13

**Completed:**

Reason	Date	FR Cite
Final Action	04/19/95	60 FR 19638
Final Action Effective	05/19/95	60 FR 19638

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Charles F. McNulty, 202 646-2976

RIN: 3067-AC30

**4005. ARSON PREVENTION ACT OF 1994 - STATE GRANTS**

Priority: Agency Priority

CFR Citation: 44 CFR 152

**Completed:**

Reason	Date	FR Cite
Final Action	03/01/95	60 FR 11236
Final Action Effective	03/31/95	60 FR 11236

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Kenneth J. Kuntz, 301 447-1271

RIN: 3067-AC31

**4006. REMOVAL OF 44 CFR PART 205**

Priority: Agency Priority

CFR Citation: 44 CFR 205

**Completed:**

Reason	Date	FR Cite
Final Action	10/24/94	59 FR 53362
Final Action Effective	10/24/94	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: H. Crane Miller, 202 646-3340

RIN: 3067-AC32

**4007. LIST OF JURISDICTIONS ELIGIBLE FOR THE SALE OF FEDERAL CRIME INSURANCE**

Priority: Agency Priority

CFR Citation: 44 CFR 81

**Completed:**

Reason	Date	FR Cite
Withdrawn	02/24/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: H. Crane Miller, 202 646-3340

RIN: 3067-AC33

[FR Doc. 95-7557 Filed 05-05-95; 8:45 am]

BILLING CODE 6718-01-F